

Message Text

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ACTION NODS-00

INFO OCT-01 ISO-00 /001 W
-----014865 220820Z /11

O 220811Z APR 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 0912
INFO AMEMBASSY BONN IMMEDIATE
AMCONSUL CAPE TOWN IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY PRETORIA IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 01612

EXDIS HANDLE AS NODIS

DEPT PLEASE PASS TO SECRETARY

FOR EMBASSY CAPE TOWN

E.O. 11652: GDS
TAGS: PORG, SF, WA
SUBJECT: NAMIBIA: CONTACT GROUP MEETING OF APRIL 21

REF: A) SECTO 4095, B) USUN 1487, C) CAPE TOWN 789

1. BRITISH INFORMED CONTACT GROUP PM APRIL 21 THAT LONDON STILL HOLDS TO ITS ORIGINAL POSITION (REF A) THAT THE VIEWS OF THE CONSTITUENT ASSEMBLY SHOULD BE "RESPECTED BY THE PARTIES" RATHER THAN SIMPLY TAKEN CAREFULLY INTO ACCOUNT BY THE FIVE (AS PROPOSED REF B). USUN, FRG, AND CANADA CONTINUED TO SUPPORT THE LATTER. FRENCH THEN INDICATED THAT THEIR LEGAL OFFICE IN PARIS HAD ADVISED THEM THAT FRANCE WOULD VIEW ANY CONSTITUENT ASSEMBLY AS SOVEREIGN, WITH THE POWER TO MAKE BINDING
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DECISIONS. AS DISCUSSION ENSUED, IT ALSO BECAME EVIDENT THAT REGARDLESS OF ABOVE DIFFERENCES, ALL MEMBERS OF THE CONTACT GROUP FELT UNEASY WITH THE SUGGESTION CONTAINED IN BOTH THE UK AND US LANGUAGE RELATING TO POWER OF THE CONSTITUENT ASSEMBLY. IN GENERAL, NO ONE WISHED TO APPEAR TO BROADEN THE ASSEMBLY'S POWERS. (EVEN THE FRENCH THOUGHT THAT THIS NEED NOT BE ENCOURAGED.)

2. AMBASSADOR MCHENRY THEN ADVISED GROUP OF EMBASSY CAPE TOWN'S VIEW (REF C) THAT SOUTH AFRICA'S PRIMARY CONCERN -- SECURITY IN THE PERIOD BETWEEN CERTIFICATION OF ELECTION AND INDEPENDENCE -- MIGHT BEST AND SIMPLY BE MET BY A WESTERN FIVE STATEMENT EXPRESSING THE FIVE'S INTEREST IN PEACE AND SECURITY IN NAMIBIA RATHER THAN A COMPLICATED AND PROBLEMATIC DISCOURSE ON THE ROLE OF THE CONSTITUENT ASSEMBLY. THE GROUP AGREED THAT A PUBLIC STATEMENT ALONG THE LINES OF THAT CONTAINED IN PARA 4 (1) OF REF C COULD BE USEFUL AND MIGHT WELL ADEQUATELY ASSURE THE SOUTH AFRICANS WITHOUT CREATING DANGEROUS PROBLEMS WITH THE AFRICANS. THE BRITISH WERE CONCERNED THAT THE SUBSTANCE OF SUCH A STATEMENT REPRESENTS NOTHING NEW AND IS CLEARLY IMPLICIT IN THE PROPOSAL, BUT THE ENTIRE GROUP AGREED THAT THERE WOULD BE ADVANTAGES IN MAKING A PUBLIC STATEMENT, WHICH MERELY CONFIRMED WHAT WAS IMPLICIT IN THE PROPOSAL AND WAS IN NO WAY A DEPARTURE FROM THE PROPOSAL.

3. WHEN IT WAS SUGGESTED THAT SOMETHING WOULD STILL HAVE TO BE SAID ABOUT THE CONSTITUENT ASSEMBLY, AMBASSADOR MCHENRY PROPOSED THAT, IN ADDITION TO THE STATEMENT ON PEACE AND SECURITY (AND IN KEEPING WITH THE NOTION OF REITERATING WHAT IS IMPLICIT IN THE PROPOSAL), THE FIVE MIGHT ALSO RESTATE PUBLICLY THE CONFIDENTIAL

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POSITION STATED ORALLY TO FOURIE ON MARCH 30 THAT "THE CONSTITUENT ASSEMBLY MAY EXPRESS THEIR OPINION ON THE QUESTION OF SOUTH AFRICAN FORCES". THE OTHER FOUR AGREED THAT THIS MIGHT BE BEST APPROACH ESPECIALLY IN LIGHT OF STILL CONFLICTING VIEWS ON POWERS OF CONSTITUENT ASSEMBLY.

4. IN THE COURSE OF DISCUSSION OF WHAT, IF ANY, ASSURANCES MIGHT BE GIVEN SOUTH AFRICANS AFTER SUNDAY MEETING, GROUP CONCLUDED THAT IT WOULD BE POLITICALLY UNWISE TO COMMUNICATE CONFIDENTIALLY OR PUBLICALLY WITH SOUTH AFRICA. A CONFIDENTIAL COMMUNICATION WOULD BE LEAKED IMMEDIATELY AND, ESPECIALLY AS ENLARGED BY SOUTH AFRICA, WOULD FURTHER JEOPARDIZE ANY ALREADY FRAGILE TRUST WITH THE AFRICANS. ON THE OTHER HAND, A PUBLIC STATEMENT ADDRESSED ONLY TO THE WITHDRAWAL ISSUE WOULD UNNECESSARILY HIGHLIGHT OUR SENSITIVITY TO SOUTH AFRICA'S RESERVATIONS AND SUGGEST THE ABSENCE OF EQUAL SENSITIVITY TO SWAPO'S CONCERNS. THE LATTER PROBLEM MIGHT BE TAKEN CARE OF IF WE WERE NOW READY TO GIVE OUR FALLBACK POSITION ON WALVIS BAY, BUT OUR FOUR COLLEAGUES ARE NOT NOW SO INCLINED.

5. THE CONSENSUS WAS THAT WE SHOULD TRY TO ADDRESS SOUTH AFRICA'S CONCERNS ALONG THE LINES OF PARA 3 AND 4 ABOVE IN THE INITIAL SPEECH ON BEHALF OF THE FIVE IN THE GENERAL ASSEMBLY. ESSENTIALLY, WE WOULD BREAK NO NEW GROUND ON THE SECURITY ISSUE BUT SEEK TO HIGHLIGHT IN THE SPEECH THE EXISTING SECURITY CONCERNS IMPLICIT IN

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C O N F I D E N T I A L SECTION 02 OF 02 USUN NEW YORK 01612

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FOR EMBASSY CAPE TOWN

THE CURRENT PROPOSAL. BY WAY OF BALANCE WE ARE ALREADY PLANNING FOR THE SPEECH TO ADDRESS THE ISSUE OF WALVIS BAY BY STATING THAT: THE CONFLICTING POSITIONS OF THE PARTIES ARE NOT PREJUDICED; NEGOTIATIONS ARE TO TAKE PLACE ON ALL SUBJECTS; NAMIBIANS IN WALVIS BAY ARE TO PARTICIPATE IN THE POLITICAL PROCESS AND THERE WILL BE NO INCREASE IN SOUTH AFRICAN MILITARY FORCES IN WALVIS BAY.

6. THE INITIAL SPEECH ON BEHALF OF THE FIVE AT THE SPECIAL SESSION IS TO BE GIVEN BY CANADIAN FOREIGN MINISTER JAMIESON IN THE MORNING OF TUESDAY, APRIL 25. CANADIANS HAVE PROVIDED A

DRAFT TEXT (DATAFAXED TO DEPARTMENT: ATT. NILES
IO/UNP) FOR CONSIDERATION OF THE FIVE. CONTACT
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GROUP HAS PREVIOUSLY DISCUSSED IN DETAIL THE
APPROACH TO BE TAKEN IN THE SPEECH BUT HAS NOT
YET DISCUSSED THE DRAFT TEXT ITSELF. THOSE
MEMBERS OF THE CONTACT GROUP (INCLUDING AMBASSADOR
MCHENRY) WHO WILL BE TRAVELING TO LONDON FOR THE
FOREIGN MINISTERS MEETING WILL BE REVISING IT IN
LONDON. REQUEST DEPARTMENT'S COMMENTS ON GENERAL
STRUCTURE AND APPROACH OF DRAFT BE SENT TO
AMBASSADOR MCHENRY ON ARRIVAL IN LONDON ON
SATURDAY EVENING. YOUNG

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL SETTLEMENT, MEETINGS, NEGOTIATIONS, CAT-B
Control Number: n/a
Copy: SINGLE
Draft Date: 22 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USUNN01612
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: n/a
Expiration:
Film Number: P840163-2633, N780004-0605
Format: TEL
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780426/aaaaawfv.tel
Line Count: 188
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 22e4c9a8-c288-dd11-92da-001cc4696bcc
Office: ACTION NODS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: NODIS
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: NODIS
Reference: 78 SECTO 4095, 78 USUN NEW YORK 1487, 78 CAPE TOWN 789
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2877227
Secure: OPEN
Status: <DBA CHANGED> MCM 20040604
Subject: NAMIBIA: CONTACT GROUP MEETING OF APRIL 21
TAGS: PORG, PDEV, SF, WA
To: STATE SS MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/22e4c9a8-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014